

"Express Mail" mailing label number EL599432161US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
WSUR116430		
U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)		
09/673,918		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US99/08975	23 April 1999	24 April 1998
TITLE OF INVENTION		
RECOMBINANT SECOISOLARICIREBINOL DEHYDROGENASE, AND METHODS OF USE		
APPLICANT(S) FOR DO/EO/US		
Zhi-Qiang XIA, Michael A. COSTA, Laurence B. DAVIN, and Norman G. LEWIS		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by Express Mail:

- \_\_\_\_\_ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- X\_\_\_\_\_ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- \_\_\_\_\_ 3. This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
- \_\_\_\_\_ 4. The U.S. has been elected by the expiration of 19 months from the priority date (PCT Article 31).
- \_\_\_\_\_ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. is attached hereto (required only if not transmitted by the International Bureau).
  - b. has been transmitted by the International Bureau.
  - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- \_\_\_\_\_ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
- \_\_\_\_\_ 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

01/05/2001 UEDUVIJE 00000030 09673918

02 FC:115

110.00 0P

"Express Mail" mailing label number EL599432161US

- \_\_\_\_\_ a. are attached hereto (required only if not communicated by the International Bureau).
- \_\_\_\_\_ b. have been transmitted by the International Bureau.
- \_\_\_\_\_ c. have not been made; however, the time limit for making such amendments has NOT expired.
- \_\_\_\_\_ d. have not been made and will not be made.
- \_\_\_\_\_ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- X\_\_\_\_\_ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- \_\_\_\_\_ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

- \_\_\_\_\_ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- \_\_\_\_\_ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- \_\_\_\_\_ 13a. A FIRST preliminary amendment.
- \_\_\_\_\_ 13b. A SECOND or SUBSEQUENT preliminary amendment.
- \_\_\_\_\_ 14. A substitute specification.
- \_\_\_\_\_ 15. A change of power of attorney and/or address letter.
- X\_\_\_\_\_ 16. Other items or information:

Notification of Missing Parts Requirement Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/OE/US)

Petition under 37 C.F.R. § 1.136 for Extension of Time to File Missing Requirements and Check No. 124105 for \$110 for the extension fee.

"Express Mail" mailing label number EL599432161US

<input checked="" type="checkbox"/> 17. The following fees are submitted:				<b>CALCULATIONS</b> PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$0 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$0 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$0 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$0 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$0 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$0	
Surcharge of \$130 for furnishing the oath or declaration later than ____ 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		X \$18	\$0	
Independent claims	- 3 =	3	X \$80	\$0	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$0	\$0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130	
____ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$130	
Processing fee of \$130 for furnishing the English translation later than ____ 20 ____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0	
<b>TOTAL NATIONAL FEE =</b>				\$130	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$130	
				Amount to be: refunded	\$
				charged	\$

☒ 17a. A check in the amount of \$130 to cover the above fees is enclosed. Check No. 124106.

"Express Mail" mailing label number EL599432161US

- X 17c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO:

Barry F. McGurl  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



Barry F. McGurl  
Registration No. 43,340  
Direct Dial (206) 695-1775

**EXPRESS MAIL CERTIFICATE**

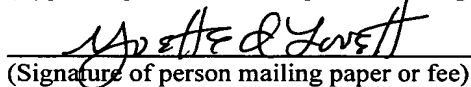
"Express Mail" mailing label number: EL599432161US

Date of Deposit January 2, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

YVETTE D. LOVETT

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

BFM:jlj

RECEIVED  
DOCKETING

NOV 20 2000



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

CHRISTENSEN, O CONNOR  
JOHNSON & KINDNESS

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/673918	XIA	Z
		WSUR116430
INTERNATIONAL APPLICATION NO.		
PCT/US99/08975		
I.A. FILING DATE		PRIORITY DATE
23 APR 99		24 APR 98
DATE MAILED: 14 NOV 2000		

BARRY F MCGURL  
CHRISTENSEN O CONNOR JOHNSON KINDNESS  
SUITE 2800  
1420 FIFTH AVENUE  
SEATTLE, WA 98101

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☐ a non-English language.
  - ☒ English.
- ☒ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☒ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.
- ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed \_\_\_\_\_.
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

- ☐ PCT/DO/EO/917
- ☐ Notice of Defective Translation
- ☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Paulette Kidwell, Paralegal

Telephone: 703 305-3656